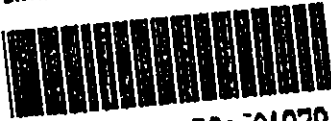


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BOOK: R2082 PAGE: 01978  
JAN 09 1998 09:00 AM  
DAVE LANG, CLERK OF COURTS



BK: R2082 PG: 01978

IN THE SECOND JUDICIAL CIRCUIT  
OF FLORIDA

CHAMBERS OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO 97-16

IN RE: JEFFERSON COUNTY and WAKULLA COUNTY  
FAMILY MEDIATION PROGRAM

FILED  
JAN -9 PM 3:37  
CLERK CHIEF COURT  
LEON COUNTY, FLORIDA

WHEREAS, mediation has been found to be an effective means of resolving disputes between parties in family law matters, and

WHEREAS, the Circuit Judges assigned to Jefferson County and Wakulla County wish to implement a mandatory mediation policy for all contested family law cases, and

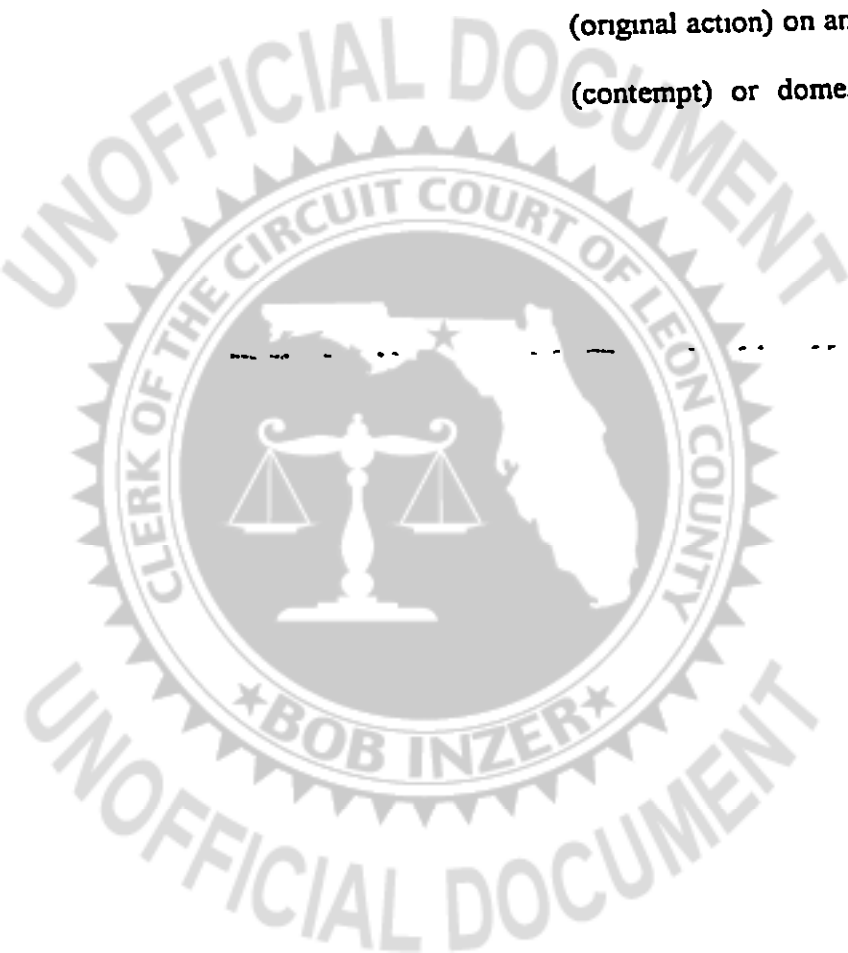
WHEREAS, Rule 1 700 of the Florida Rules of Civil Procedure permits a presiding judge to enter an order referring all or any part of a contested civil matter to mediation or arbitration, and

WHEREAS, there are sufficient mediator resources available in Jefferson County and Wakulla County to implement a mandatory mediation program in the family law area,

IT IS THEREFORE

ORDERED THAT

- 1 Any party who seeks to schedule a final hearing (modification) or trial (original action) on any contested family law issue, other than enforcement (contempt) or domestic and repeat violence, shall first participate in



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mediation The court will provide a family mediation unit to provide mediation services to all parties Parties may use other private mediators as agreed to or as ordered by the court The mediator shall certify that mediation is completed prior to either of the parties scheduling a final hearing or trial

2 If the parties decide to utilize the family mediation unit, the parties shall contact the designated individual at the appropriate Clerk of Court office to initiate the mediation, which shall be scheduled and conducted in accordance with Florida Family Law Rules of Civil Procedure 12 740 - 12 741, unless otherwise ordered The parties should then contact the mediator to discuss issues such as location of the mediation, financial affidavits, etc

3 (a) In all actions, a mediation session shall be scheduled within 15 days after an answer to the petition has been received, unless the parties have settled A copy of each party's settlement memorandum and financial affidavits shall be furnished to the mediator by the parties at least two business days prior to the commencement of the mediation

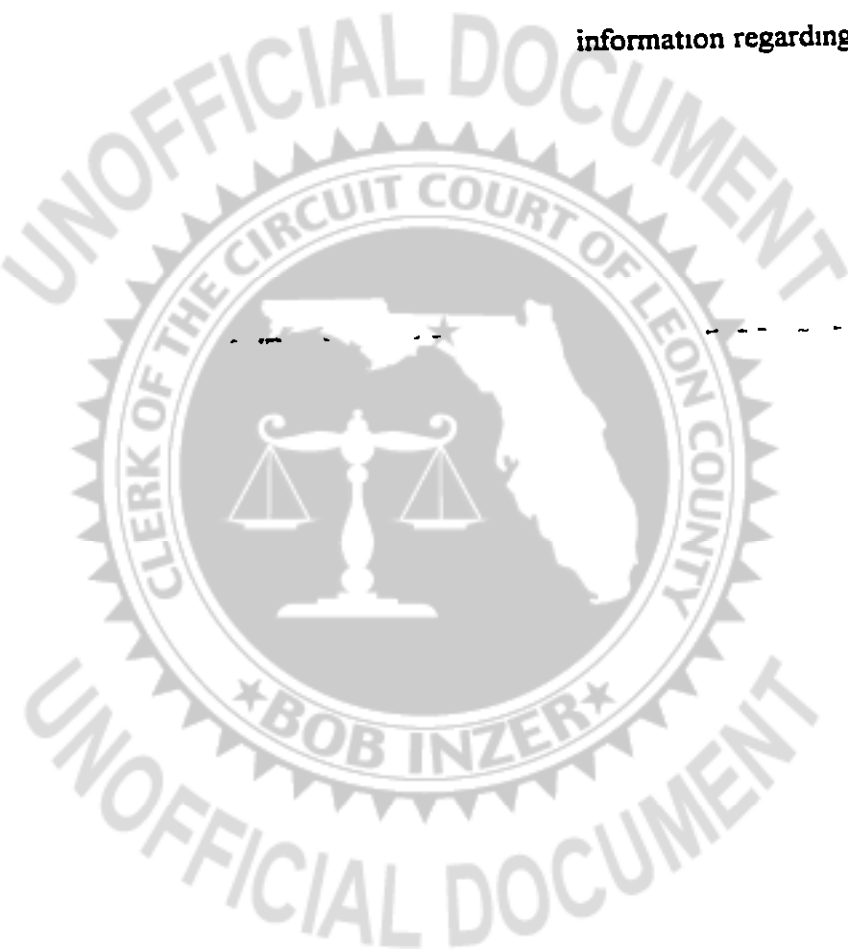
(b) In any modification action regarding a family court order, mediation shall be completed prior to requesting a hearing from the court

4 If a party fails to appear at the mediation session or if an agreement cannot be reached, the mediator shall provide the judge, the parties, and the referral source, if applicable, with a notice of such failure to appear or

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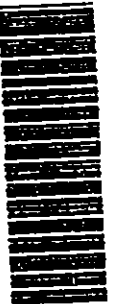
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- failure of resolution Willful refusal or failure to appear will place the  
offending party in jeopardy of sanctions, including contempt of court
- 5 The mandatory mediation requirements shall be automatically waived  
(original action and modifications) if a default has been entered
- 6 Upon written motion and good cause shown, any party may apply to the  
court to waive the required mediation The motion or joint motion shall be  
signed by each party requesting the waiver, as well as counsel for the party  
or parties Pursuant to section 44 102(2)(b), Florida Statutes, no case  
involving a significant history of domestic abuse shall be referred to  
mediation
- 7 Mediation, by agreement of the parties, may take place within the six (6)  
month period prior to filing Any mediation agreement reached is binding  
on the parties, except for good cause shown If the mediator certified that  
mediation resulted in an impasse, the mandatory mediation required by this  
section may be waived No other mediation will be ordered, except for  
good cause shown
- 8 The Circuit Judge assigned to Jefferson and Wakulla Counties shall  
designate one or more mediators certified by the Supreme Court in the area  
of family mediation to provide mediation services to those parties that are  
unable or unwilling to secure the services of a private mediator
- 9 The Clerk of Court shall provide to the petitioner when the action is filed  
information regarding the designated family mediation unit in each county



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If requested, the parties will be provided a list of the names and phone numbers of other Court-authorized family mediators, from which the parties are permitted to choose

- 10 The Court Administrator shall maintain a list of certified family law mediators with their addresses and phone numbers. The list shall be made available to the public, the clerks of the court in Jefferson and Wakulla Counties, and all parties. The Court Administrator shall also prepare a fee schedule to be charged by the family mediation unit of the Court based on the income of the parties, with provision made for indigent parties. The schedule shall be approved by the presiding Circuit Judge in Jefferson and Wakulla Counties prior to implementation. The mediator shall not be required to transmit the results of mediation or agreement to the Court until applicable fees have been paid.

- 11 This Order shall become effective on January 1, 1998

**DONE AND ORDERED** in Chambers, at Tallahassee, Leon County,

Florida, this 31<sup>st</sup> day of December, 1997

  
N SANDERS SAULS  
CHIEF JUDGE